

REMARKS

After entry of this amendment, claims 1-31 remain pending. In the present Office Action, claims 1, 5, 7, 11, 13, and 17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Stallings, "Computer Organization and Architecture", 1996 ("Stallings"). Claims 2, 8, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stallings. Applicant respectfully traverses this rejection and requests reconsideration. Claims 3, 4, 9, 10, 15, and 16 were objected to as being dependent from a rejected base claim but would be allowable if rewritten in independent form. Claims 19-20 were allowed. Applicants note that claims 6, 12, and 18 were not treated in the detailed action, either as rejected or allowable.

Allowable Claims

Claims 3, 9, and 15 have been rewritten in independent form (along with some rewording in claims 9 and 15). Accordingly, Applicant submits that these claims are in condition for allowance. Claims 4, 10, and 16 depend from claims 3, 9, and 15, respectively. Accordingly, these claims are in condition for allowance. Claims 19-20 are allowed. Claims 21-23 depend from claim 19, and thus are in condition for allowance as well.

Claims 1-2, 5-8, 11-14, and 17-18

Applicants respectfully submit that each of claims 1-2, 5-8, 11-14, and 17-18 recite combinations of features not taught or suggested in the cited art. For example, claim 1 recites a combination of features including: "the execution core is configured to ... execute a first instruction specifying the segment register, the execution core being selectively responsive to the segment descriptor during execution of the first instruction dependent on which of a plurality of protected operating modes is active in the processor, wherein an active protected operating mode of the plurality of protected operating modes is determined, at least in part, responsive to the code segment descriptor".

The present Office Action alleges that the plurality of protected operating modes are taught by the addressing modes described by Stallings. Applicants respectfully

submit that the addressing modes are not operating modes. While not indicated in the section of Stallings cited in the present Office Action, the x86 instruction set specifies addressing modes as part of the encoding of the instructions. For example, the Mod R/M byte (when present), the SIB byte (when present), and the opcode byte of an instruction are used to determine the addressing mode for that instruction. Such addressing modes do not teach or suggest "the execution core is configured to ... execute a first instruction specifying the segment register, the execution core being selectively responsive to the segment descriptor during execution of the first instruction dependent on which of a plurality of protected operating modes is active in the processor, wherein an active protected operating mode of the plurality of protected operating modes is determined, at least in part, responsive to the code segment descriptor".

For at least the above stated reasons, Applicant submits that claim 1 is patentable over the cited art. Claims 2 and 5-6 depend from claim 1 and thus are patentable over the cited art for at least the above stated reasons as well. Each of claims 2 and 5-6 recites additional combinations of features not taught or suggested in the cited art.

Claim 7 recites a combination of features including: "a processor configured to ... process a first instruction specifying the segment register, the processing selectively responsive to the segment descriptor dependent on which of a plurality of protected operating modes is active, wherein an active protected operating mode of the plurality of protected operating modes is determined, at least in part, responsive to the code segment descriptor". The teachings of Stallings regarding addressing modes, highlighted above with regard to claim 1, are also alleged to teach the plurality of protected operating modes recited in claim 7. Applicants respectfully submit that Stallings's addressing modes do not teach or suggest the above highlighted features of claim 7, either.

For at least the above stated reasons, Applicant submits that claim 7 is patentable over the cited art. Claims 8 and 11-12 depend from claim 7 and thus are patentable over the cited art for at least the above stated reasons as well. Each of claims 8 and 11-12 recites additional combinations of features not taught or suggested in the cited art.

Claim 13 recited a combination of features including: "determining an active protected operating mode from a plurality of protected operating modes responsive, at least in part, to a code segment descriptor; executing a first instruction specifying a segment register, the executing selectively responsive to a segment descriptor indicated by a segment selector in the segment register, the executing selectively responsive dependent on which of a plurality of protected operating modes is the active protected operating mode". The teachings of Stallings regarding addressing modes, highlighted above with regard to claim 1, are also alleged to teach the plurality of protected operating modes recited in claim 13. Applicants respectfully submit that Stallings' addressing modes do not teach or suggest the above highlighted features of claim 13, either.

For at least the above stated reasons, Applicant submits that claim 13 is patentable over the cited art. Claims 14 and 17-18 depend from claim 13 and thus are patentable over the cited art for at least the above stated reasons as well. Each of claims 14 and 17-18 recites additional combinations of features not taught or suggested in the cited art.

New Claims 24-31

New claims 24-31 each recite a combination of features not taught or suggested in the cited art. For example, claims 24 and 28 each recite a combination of features including: "branch to a code segment which establishes a second protected operating mode in which the one or more segment descriptors are used". Claims 25-27 depend from claim 24, and claims 29-31 depend from claim 28. Each of claims 25-27 and 29-31 recites additional combinations of features not taught or suggested in the cited art.

Comments on Reasons for Allowance

The present Office Action includes a statement of reasons for indication of allowable subject matter (item 7, page 6 of the Office Action). The statement refers to various features of claim 19. Applicant notes that other allowable claims recite other combinations of features, and submits that such other claims are allowable due to the combinations of features recited in such other claims.

Information Disclosure Statements (IDSs)

Applicant received the PTO-1449 form from the IDS filed on July 25, 2001 with the present Office Action. Applicant notes that a second IDS was filed on April 29, 2004 (and the date on the return receipt postcard is May 3, 2004). Applicant respectfully requests consideration of the IDS and a return of the PTO-1449 included therewith, initialed and signed by the Examiner to evidence such consideration.

Previously Filed Request to Rescind

Applicant filed a Request to Rescind Previous Non-Publication Request in the present application on September 21, 2001. However, Applicant has not yet received a notice of publication of application or other acknowledgement of the Request to Rescind. Attached is a copy of the previously-filed Request to Rescind, along with a copy of the date-stamped postcard evidencing receipt of the Request to Rescind in the United States Patent and Trademark Office on September 25, 2001. Applicant respectfully requests acknowledgement of the Request to Rescind in the next action.

CONCLUSION

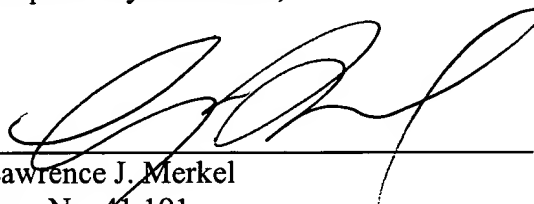
Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5500-65900/LJM.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Request for Approval of Drawing Changes
- ☐ Notice of Change of Address
- ☒ Please debit the above deposit account in the amount of \$628 for fees (\$198 for 11 excess dependent claims and \$430 for 5 excess independent claims).
- ☒ Other: Copies of previously filed Request to Rescind and date-stamped post card evidencing receipt in USPTO.

Respectfully submitted,



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AGENT FOR APPLICANT(S)

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